

# **EXHIBIT A**

## ELECTION OF PLAINTIFF STATUS

To: J. Michael McMahon, Clerk  
United States District Court for the Southern District Of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

The undersigned is currently or was formerly an employee of Flaum Appetizing Corp. and Moshe Grudhut, and hereby elects to be a plaintiff in a lawsuit to redress their failure to pay wages as required by the Fair Labor Standards Act and corresponding sections of New York Labor Law. The undersigned further designates David Tykulsker & Associates, 161 Walnut Street, Montclair, New Jersey 07042 (973) 509-9292 as attorney for the undersigned in this lawsuit.

Signature: ESIDRO VARGAS

Date: 8-21-08